

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAXINE JACKSON,

Defendant.

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8:05CR418

**ORDER**

This matter is before the court on the defendant's Motion for a Psychiatric Evaluation pursuant to 18 U.S.C. § 4241 [#15]. The motion was set for an evidentiary on March 28, 2006.

An evidentiary hearing in accordance with U.S.C. § 4247(d) was held before the undersigned magistrate on March 28, 2006. The defendant was represented by his counsel, Jon Natvig. The United States was represented by Assistant U.S. Attorney, Maria Moran. Hearing was held in accordance with 18 U.S.C. §4247(d). The defendant offered evidence of psychiatric issues as well as an evaluation by Glenda L. Cottam, a licensed clinical psychologist. No other evidence was offered by either side.

Based upon the evidence presented at the hearing, I find by a preponderance of the evidence that the defendant, Maxine Jackson, is presently suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequence of the proceeding against her, or to assist properly in her defense. Accordingly, the defendant will be committed to the custody of the Attorney General for hospitalization and treatment in accordance with 18 U.S.C. § 4241(d).

**IT IS ORDERED:**

1. The defendant's Motion for Psychiatric Evaluation [#15] is granted.
2. The defendant, Maxine Jackson, is not presently competent to stand trial and she is committed under Title 18 U.S.C. § 4241(d) to the custody of the Attorney General for hospitalization and treatment in a suitable facility for such a reasonable time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future she will attain the capacity to permit the trial to proceed; and for additional reasonable periods of time until her mental condition is so improved the trial may proceed, if the court finds there is a substantial probability that within such additional period of time she will obtain the capacity to permit the trial to proceed or pending charges against her are disposed of according to law, whichever is earlier.

Dated this 28<sup>th</sup> day of March 2006.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge